

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6947

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DONALD RAY MORGAN,

Defendant - Appellant.

No. 22-6948

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DONALD RAY MORGAN,

Defendant - Appellant.

Appeals from the United States District Court for the Middle District of North Carolina, at Greensboro. Thomas D. Schroeder, Chief District Judge. (1:14-cr-00194-TDS-1; 1:20-cv-00965-TDS-JLW; 1:14-cr-00414-TDS-1)

Submitted: March 21, 2023

Decided: May 1, 2023

Before WYNN and QUATTLEBAUM, Circuit Judges, and FLOYD, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Donald Ray Morgan, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Donald Ray Morgan seeks to appeal the district court's order dismissing his 28 U.S.C. § 2255 motions. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

When the United States or its officer or agency is a party in a civil case, the notice of appeal must be filed no more than 60 days after the entry of the district court's final judgment or order, Fed. R. App. P. 4(a)(1)(B), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5) or reopens the appeal period under Fed. R. App. P. 4(a)(6). “[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement.” *Bowles v. Russell*, 551 U.S. 205, 214 (2007).

On January 12, 2022, the district court entered an order disposing of Morgan's § 2255 motion which was filed in both of his criminal cases. Morgan filed his notice of appeal in both cases on August 10, 2022. Because Morgan failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED